THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 12961 OF 2006

BETWEEN:

K.Sharat kumar and another

…Petitioners

vs.

The Revenue Divisional Officer, Karimnagar and two others

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 12961 OF 2006

ORAL ORDER

The writ petition is misconceived.

The petitioner applied for mutation of certain property measuring Ac.0.03 ½ gunts in Sy.No.167 of Durshed village of Karimnagar Mandal and the 2nd respondent mutated the land in favour of the 2nd petitioner under the *A.P. Rights in Land and Pattadar Passbooks Act,1971* (for short "the Act"). Aggrieved thereby the 3rd respondent preferred an appeal before the 1st respondent in April,2006. The 1st respondent entertained the appeal found a *prima facie* case in favour of the 3rd respondent herein and by the order, impugned in this writ petition, dated.15-04-2006 suspended the order of the 2nd respondent dated.24-02-2006 effecting the mutation in favour of the 2nd petitioner. This is the order assailed in the writ petition.

The petitioner asserts that on merits he has a better case than the 3rd respondent.

The writ petition, as stated earlier is misconceived. The 1st respondent is considering the appeal preferred by the 3rd respondent and during the process of such consideration, has the authority, jurisdiction and power to pass an order interdicting or suspending the order of the 2nd respondent against which the appeal is preferred by the 3rd respondent. There is

neither perversity nor any illegality in the quasi-judicial jurisdiction exercised by the 1st respondent, warranting interference by this Court.

There are no merits. The writ petition is dismissed at the stage of admission. There shall be no order as to costs.

_____

GODA RAGHURAM,J

30th JUNE 2006
*TSNR